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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,941	10/26/2001	Charles Eric Cantwell	10013003-1	8423

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 HEWLETT-PACKARD COMPANY
 Intellectual Property Administration
 P.O. Box 272400
 Fort Collins, CO 80527-2400

EXAMINER

LEE, CHEUKFAN

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/039,941

Applicant(s)

CANTWELL, CHARLES ERIC

Examiner

Cheukfan Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-15 and 22-38 is/are allowed.
- 6) ☒ Claim(s) 16, 17 and 19 is/are rejected.
- 7) ☒ Claim(s) 18, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. Claims 1-38 are pending. Claims 1, 16, 22, 27, 31, and 35 are independent.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 16, 17 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Leou (U.S. Patent No. 5,923,445).

Regarding claim 16, Leou disclose a document scanner (flatbed scanner) for scanning a large original document (col. 2, line 18 to col. 3, lines 48). The apparatus comprises an optical scanning device (a linear array of charge-coupled devices (CCDs)) inside the scanner (10), a document-positioning device configured to position a document (the document and the document platen 144) with respect to the optical scanning device (linear array of CCDs). Leou further discloses a flow diagram (Fig. 4) illustrating the steps performed in the operative mode by the scanner (col. 3, lines 28-48). A processor is inherent in the scanner to execute a document position program corresponding to the flow diagram.

In the operative mode, after a large document is placed on the platen (144) with the platen (144) disposed at a first position, the linear array of CCDs moves in the subscanning direction to perform a first scan of the document. After the first scan, the document and the platen (144) are repositioned by the positioning device (Fig. 3B).

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Then a second scan is performed by the linear array of CCDs moving in the subscanning direction.

Regarding claim 17, the claimed "platen over which a document can be positioned" is met by the document platen (144). It is inherent that in Leou that the linear array of CCDs is located adjacent the platen (144) since the scanner of Leou is a flatbed scanner (col. 2, lines 18-32).

Regarding claim 19, as discussed above, the linear array of CCDs moves in the subscanning direction along the platen (144) during the first scan and during the second scan. That is, after the platen (144) and the document are moved by the positioning program executed by the inherent control of the scanner, the second scan is performed by the linear array of CCDs moving in the subscanning direction.

4. Claims 18, 20, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claims 1-15 and 22-38 are allowed.

6. The following is an examiner's statement of reasons for allowance:

Claim 18 would be allowable over the prior art of record including Leou (U.S. Patent No. 5,923,445) because the prior art does not teach the document positioning program is configured to cause the processor to actuate the document positioning

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device when the document edge detect does not detect the edge of a document as claimed.

Claim 20 would be allowable over Leou because Leou does not teach that the inherent process to actuate the document positioning device (Fig. 3) to move portions of the document which exceed the platen width and the platen length over the platen. Leou's platen (144) is a large platen (Fig. 2). However, Leou does not disclose moving portions of the document over the platen. Instead, the platen (144) having the large document thereon is moved.

Claim 21 would be allowable over Leou because Leou does not disclose that the document-positioning device (Fig. 3) selectively moves the document in a first direction and in a second direction orthogonal to the first direction. Leou's document positioning device moves the platen only in the two opposite directions.

Claim 22 and its dependent claims 23-26 are allowable because the closest prior art Leou does not disclose automatically moving the document in a first direction so that the second portion of the document is placed over the platen, and optically scanning the second portion of the document by moving the optical scanning device past the second portion of the document, in a method of scanning an oversized document. Leou discloses moving or repositioning the platen (144) having the large document thereon.

Claims 1 and 31 and their dependent claims 2-15 and 32-34, respectively, are allowable over the prior art of record. The closest prior art Sung (U.S. Patent No.

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6,587,231), also cited below, discloses a document cover (7 in Fig. 5) freely removable from the base unit having an optical scanning device located therein, but Sung does not disclose a document positioning device configured to move a document with respect to the optical scanning device when the document is positioned between the base unit and the cover, in combination with the freely removable cover.

Claims 27 and 35 and their dependent claims 28-30 and 36-38, respectively, are allowable over the prior art of record. The closest prior art Sung (U.S. Patent No. 6,587,231) discloses a document cover (7 in Fig. 5) freely removable from the base unit having an optical scanning device located therein, but Sung does not disclose either a plurality of driven balls or a plurality of cylindrical powered rollers in the base unit, the driven balls cylindrical powered rollers configured to contact a document placed over the base unit and move the document with respect to the optical scanning device when the cover is placed over the document as claimed claims 27 and 35, respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Spencer et al. (U.S. Patent No. 6,894,813) discloses an integrated imaging module for wide format scanner.

Itano et al. (U.S. Patent No. 6,233,067) discloses an apparatus for reading an image of a large original.

Stemmle (U.S. Patent No. 5,032,922) discloses a platen accessory for portable copier (Figs. 6A-6C).

Toyoda et al. (U.S. Patent No. 6,690,482) discloses an apparatus for reading image of a large original.

Toyoda et al. (U.S. Patent No. 6,507,415) discloses an image reading apparatus for reading a large original.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
September 15, 2005



Cheukfan Lee